

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MANUEL RAMOS-RODRIGUEZ,

Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE  
 DEPARTMENT, et al,

Defendants.

Case No. 2:15-cv-01212-GMN-NJK

**ORDER**

(IFP App - Docket No. 3)

Plaintiff Manuel Ramos-Rodriguez is proceeding in this action *pro se*, requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*, and submitted a Complaint (Docket No. 1) on June 25, 2015. This proceeding was referred to this court by Local Rule IB 1-9.

On June 26, 2015, the Court denied Plaintiff's application to proceed *in forma pauperis* without prejudice. Docket No. 2. The Court found that Plaintiff failed to include a recent (within the past six months) signed financial certificate by an authorized officer of the institution in which he is incarcerated, a certified copy of his inmate trust account statement, and a signed financial affidavit as required by 28 U.S.C. § 1915(a)(2) and LSR 1-2. *Id.*, at 1. The Court allowed Plaintiff until July 27, 2015, to either file a new application accompanied by a recent (within the past six months) signed and executed financial certificate, a signed and executed financial affidavit, and a certified statement of his inmate trust account, or to pay the \$350 filing fee. *Id.*, at 1-2.

On July 21, 2015, Plaintiff filed a new application to proceed *in forma pauperis*. Docket No. 3. Although Plaintiff included a statement of his inmate trust account, this application is incomplete. Plaintiff filed only the first page of the application, rather than the entire application. Additionally, his lack of response to question 1b differs from his response on his initial application. Docket No. 1 at 1; Docket No.

3 at 1. Additionally, Plaintiff has failed to submit a signed acknowledgment that he has read the application and that the information is true and correct, along with the other required acknowledgments on that page. See Docket No. 3; Docket No. 1 at 3. Finally, Plaintiff included a financial certificate that appears to differ materially from the one he initially submitted. Docket No. 1 at 4; Docket No. 3 at 3, 6. As such, Plaintiff's second *in forma pauperis* application is denied without prejudice.

The Court will retain Plaintiff's complaint (Docket No. 1-1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted one final opportunity to cure the deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file a new application to proceed *in forma pauperis*, he must file a fully complete application to proceed *in forma pauperis*.

Accordingly,

**IT IS ORDERED:**

1. Plaintiff's Application to Proceed *In Forma Pauperis*, Docket No. 3, is DENIED WITHOUT PREJUDICE.
2. Plaintiff shall file a new Application to Proceed *in Forma Pauperis*, accompanied by a recent (within the past six months) signed and executed financial certificate, a signed and executed financial affidavit, and a certified statement of his inmate trust account.
3. The Clerk of the Court shall send Plaintiff a blank application form for incarcerated litigants with instructions.
4. Alternatively, Plaintiff shall make the necessary arrangements to pay the filing fee of three hundred fifty dollars accompanied by a copy of this order.
5. Plaintiff must comply with this order no later than August 28, 2015. Failure to comply in full will result a recommendation to the District Judge that this case be dismissed for failure to comply with this order.

Dated this 29th day of July, 2015.

  
NANCY J. KOPPE  
UNITED STATES MAGISTRATE JUDGE